

2 **REMARKS**

3 An RCE is respectfully requested.

4 Entry of Applicants Amendment and response of July 13, 2007 is respectfully requested.

5 The above amendments are to the amended claims of that action.

6 Reconsideration of the application in view the following remarks is respectfully requested.

7 Claims 1, 3-4, 6, 8, 11-12, 21-27, 29-33 are pending in this application. The independent
8 claims have been amended.

9 Examiner states, in error, that "Applicant argues that the prior art does not mention or
10 suggest "voice communication". Then Examiner then points out a section of Mattaway.

11 However, Applicant argued in the communication of Jan. 9, 2007

12 "McLaughlin does not mention or suggest in his disclosure that his method be applied to
13 voice communications, other than to suggest that a voice may be turned into text for delivery to a
14 deaf person. One of skill in the art of internet voice communications would not then combine
15 McLaughlin with any other reference and hence McLaughlin may not be used in a Section 35
16 U.S.C. 103(a) rejection."

17 Applicant argued only that Mclaughlin should not be considered prior art, and that
18 Examiner was in error in citing McGlaughlin as voice communication prior art .

19 Examiner may in fact hold the opinion that Mclaughlin should be considered a prior art
20 document, but Examiner should not quote another document in upholding the rejection, and
21 instead should address the issue raised by Applicant.

22 In addition, Examiner failed to respond to any of the points in the three paragraphs
23 following the above quotation. In particular, using a search program to find the word "icon", and
24 quoting that section in the rejection, does not address Applicants statement that McGlaughlin does
25 not show or suggest clicking on an icon or ad to place a voice telephone call.

26 In view of the above paragraphs, Applicant therefore respectfully requests that Examiner
27 lift the finality of the rejection.

28 Computer search of the PTO web site file of Mattaway patent finds no mention of " ad "
29 or "adverti". Computer search of the PTO web site file of the McGlaughlin provisional
30 application 60/ 135899 file 5/26/99 finds no mention of " ad " or "adverti". As noted in the prior
31 response and amendment .

32 "Examiner states on p 4 item 10 of the office action, in error, that McLaughlin discloses
33 "The method of claim 8 wherein a single click on an ad contained in the web page connects a
34 telephone call." The word "advertised" appears in the sentence "For example, a service entity
35 may rent a phone number to the ABC Company. In other words, the phone number rings to the
36 service entity, but the number is advertised as belonging to the ABC Company." There is no
37 suggestion to click on an ad. This is the only example turned up in a search of both the prior art
38 documents cited for "ad" or "advert". Thus, neither reference cited mentions or suggests "a
39 single click on an ad".

40 Examiner states that the number is "advertised" as belonging to the ABC company.
41 Applicant fails to understand how a number can be an advertisement.

42 As noted in the prior communication, even if McGlaughlin were to be accepted as a prior
43 art document in the field of the present application, the filing date of McGlaughlin is less than one
44 year prior to the present application filing date, and Applicant can swear behind the patent
45 application. The provisional patent application, filed more than one year prior to the present
46 application date, can not be sworn behind, but has no mention whatsoever of ad or advertisement.

47 Applicant has amended the claims, without prejudice, to include clicking on an
48 advertisement in a GUI, which advertisement is stored in the client computer.

49 Thus, the independent claims of the present application (as amended) are patentable on
50 102 grounds over Mattaway. The claims are also patentable over a combination of Mattaway
51 and McGlaughlin. All dependent claims are likewise patentable. In addition, the dependent
52 claims are patentable over their independent claims.

53 An extension of time for filing a reply in the above identified application from 7/13/07 to
54 8/13/07 is respectfully requested under 37 CFR 1.17. An additional fee is required. The required
55 fees and any insufficiency or overage (except issue fees) may be debited or credited to deposit
56 account 08/2240.

57 On the basis of the above amendments and remarks, reconsideration of this application
58 and its early allowance is respectfully requested.

Respectfully,

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